

ITEM: 20

SUBJECT: City of Plymouth, City of Plymouth Wastewater Treatment Plant,
Amador County

BOARD ACTION: *Consideration of a Administrative Civil Liability Order with a Proposed
Supplemental Environmental Project*

BACKGROUND: The City of Plymouth's WWTP is regulated by Waste Discharge Requirements Order No. 5-01-095. The wastewater treatment plant consists of an aerated facultative pond, two polishing ponds, chlorination facilities, and a 185 acre-foot unlined effluent storage reservoir. Wastewater disposal occurs through spray irrigation on approximately 85 of the 125 acres of sprayfields owned by the City.

The Findings of WDRs describe a number of major deficiencies in the Discharger's wastewater system, and therefore the WDRs require the Discharger to submit reports addressing upgrades to the facility. However, the Discharger failed to comply with a number of the prohibitions, discharge specifications, and provisions prescribed by the WDRs. Violations include, but are not limited to, discharge of waste into surface drainage courses and surface waters, disposal of wastewater to the sprayfield during the winter months, not consistently maintaining a dissolved oxygen concentration above 1.0 mg/l in the wastewater treatment ponds, not consistently meeting the effluent limitation for ammonia as nitrogen, failure to comply with its monitoring and reporting program, failure to submit a report showing that the City has installed a stormwater diversions system around the effluent storage reservoir, and failure to comply with Discharge Specifications B.8, B.9 and B.10 of the WDRs. These three specifications require that the Discharger have enough storage capacity to contain the wastewater flow allowed by the WDRs, all rainfall generated during a 100-year annual precipitation event, and all ancillary infiltration and inflow, while always maintaining at least two feet of freeboard in the storage reservoir. The Discharger's water balance shows that it cannot meet these three specifications.

The failure to comply with the WDRs lead to the issuance of a number of Notices of Violation, and ultimately, the adoption of Cease and Desist Order (C&D) No. R5-2005-0006 by the Regional Board on 27 January 2005.

ISSUES: The C&D prescribes specific timetables for submitting reports and making improvements to the WWTP to ensure long-term compliance with the WDRs. The Discharger failed to comply with the requirements of the C&D by submitting two reports, the Flow Meter Installation Report and Contingency Plan, six days late, and by failing to submit the required Wastewater Aeration Report, Spray Irrigation Management Plan and Spray Irrigation Improvement Report, and Final Revenue Plan.

Due to the violations of the C&D Order, on 7 June 2005 the Executive Officer issued ACL Complaint No. R5-2005-0515 to the City of

Plymouth in the amount of \$20,000.

On 29 July 2005, the City submitted a letter stating that it had agreed to pay the ACL in the amount of \$20,000 and requested that 50% (\$10,000) of the of ACL be utilized for a Supplemental Environmental Project (SEP). The proposed SEP includes riparian restoration elements on the stream banks of Sutter Creek at Lions Park (a public park operated by Amador County) in Sutter Creek. The proposed SEP would be administered by the Central Sierra Resource Conservation and Development Council and involve preliminary preparation for a bank stabilization project and Americans with Disabilities Act stream access project as part of Riparian Habitat Restoration Activities. In addition, the Discharger's 29 July 2005 letter stated that it would submit the outstanding reports required by C&D Order No. R5-2005-0006 by specific dates.

The proposed Order incorporates the Discharger's proposed SEP and requires that the outstanding reports be submitted by certain dates. The Discharger submitted a check for \$10,000 on 16 August 2005. If the Discharger fails to submit the reports by the required due dates or to complete the SEP, then the remainder of the ACL will be due upon request of the Executive Officer.

This item is uncontested.

Mgmt. Review _____
Legal Review _____

15/16 September 2005

Central Valley Regional Water Quality Control Board
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